IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2242 OF 2007

M.M.T.C. limited .... Applicant

versus

M/s. Swastik Chemicals & ors. ..... Respondent.

Mr. Sandeep Velkar for the petitioner.
Mr. A.S.Shitole APP for State.
Ms. Nita Solanki i/b Kiran Jain & Co. for Respondents 1 and 2.

CORAM; A.P. DESHPANDE, J.
DATED; 03RD DECEMBER, 2007

P.C.;

1. This is an application moved under section 378(4) of Cr.P.C. for grant of special leave to file appeal against acquittal. The applicant is fully owned Central Government company, having its registered office at Delhi. The applicant sold to the accused Sulphur, by the mode known as High Seas Sales Basis, from the Vessel "Internatinal-3". It is the case of the applicant that for payment of the dues, the respondent/accused have issued a cheque for a sum of Rs.60,50,000/-. After the deposit of the cheque the same was dishonoured. Hence after the demand notice through their advocate was served, the applicant filed complaint under section 138 of N.I.Act, and the acquittal of the accused by the Magistrate has given rise to the filing of the present application for

special leave to file appeal.

2. Perused the judgment. The matter requires serious consideration. Hence I grant special leave to file appeal against acquittal as prayed for. Application is thus disposed of.

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